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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number 09/332,271
Filing Date June 11, 1999
First Named Inventor Schuegraf
Group Art Unit 2811
Examiner Name Unknown
Attorney Docket Number MI22-532

Total Number of Pages in This Submission

ENCLOSURES (check all that apply)

- ☒ Fee Transmittal Form
☒ Fee Attached
☐ Amendment / Response
☐ After Final
☐ Affidavits/declaration(s)
☒ Extension of Time Request (4-month)
☐ Express Abandonment Request
☐ Information Disclosure Statement
☐ Certified Copy of Priority Document(s)
☒ Response to Missing Parts/Incomplete Application
☒ Response to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Assignment Papers (for an Application)
☐ Drawing(s)
☐ Licensing-related Papers
☒ Petition Routing Slip (PTO/SB/69) and Accompanying Petition
☐ To Convert a Provisional Application
☐ Power of Attorney, Revocation Change of Correspondence Address
☐ Terminal Disclaimer
☐ Small Entity Statement
☐ Request for Refund

- ☐ After Allowance Communication to Group
☐ Appeal Communication to Board of Appeals and Interferences
☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
☐ Proprietary Information
☐ Status Letter
☒ Additional Enclosure(s) (please identify below):
- PTO Return Postcard.
- Copy of Notice to File Missing Parts.
- Check #125165.
- Declaration of David G. Latwesen.

Remarks

- Declaration of Karen Brasefield.
- Declaration of Michael Lynch.
- Declaration of Joint Inventors signed by Randhir P.S. Thakur.
- Copy of Assignment.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name Mark S. Matkin Reg. No. 32,268
WELLS, ST. JOHN, ROBERTS, GREGORY & MATKIN, P.S.

Signature

Date

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: 1/3/00

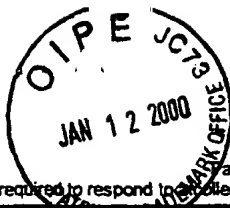
Typed or printed name JoAnne O'Hare

Signature

Date

1/3/00

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



PTO/SB/17 (1/98)

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL

Patent fees are subject to annual revision on October 1.

These are the fees effective October 1, 1997.

Small Entity payments must be supported by a small entity statement, otherwise large entity fees must be paid. See Forms PTO/SB/09-12.**Complete if Known**

Application Number	09/332,271
Filing Date	June 11, 1999
First Named Inventor	Schuegraf
Examiner Name	Unknown
Group / Art Unit	2811
Attorney Docket No.	MI22-532

TOTAL AMOUNT OF PAYMENT (\$) 1620

METHOD OF PAYMENT (check one)

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 23-0925
Deposit Account Name Wells, St. John

- ☒
- Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
- ☐
- Charge the Issue Fee Set in Notice of Allowance

- 2.
- ☒
- Payment Enclosed: (Chk. #125165)

☒ Check ☐ Money Order ☐ Other**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 790	201 395	Utility filing fee	
106 330	206 165	Design filing fee	
107 540	207 270	Plant filing fee	
108 790	208 395	Reissue filing fee	
114 150	214 75	Provisional filing fee	

SUBTOTAL (1) (\$) 0

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X	
Multiple Dependent	-3** =	X	

**or number previously paid, if greater; For Reissues, see below

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103 22	203 11	Claims in excess of 20
102 82	202 41	Independent claims in excess of 3
104 270	204 135	Multiple dependent claim, if not paid
109 82	209 41	** Reissue independent claims over original patent
110 22	210 11	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 0

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	130
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 400	216 200	Extension for reply within second month	
117 950	217 475	Extension for reply within third month	
118 1,510	218 755	Extension for reply within fourth month	1360
128 2,060	228 1,030	Extension for reply within fifth month	
119 310	219 155	Notice of Appeal	
120 310	220 155	Filing a brief in support of an appeal	
121 270	221 135	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,320	241 660	Petition to revive - unintentional	
142 1,320	242 660	Utility issue fee (or reissue)	
143 450	243 225	Design issue fee	
144 670	244 335	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	130
123 50	123 50	Petitions related to provisional applications	
126 240	126 240	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 790	246 395	Filing a submission after final rejection (37 CFR 1.129(a))	
149 790	249 395	For each additional invention to be examined (37 CFR 1.129(b))	

Other fee (specify) _____

Other fee (specify) _____

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 1620

SUBMITTED BYTyped or Printed Name Mark S. MatkinSignature David Enten forDate 1/3/00**Complete (if applicable)**Reg. Number 32,268

Deposit Account User ID _____

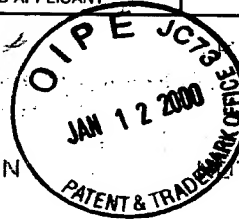
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**UNITED STATES DEPARTMENT OF COMMERCE****Patent and Trademark Office**Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER:	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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09/332,271 06/11/99 SCHUEGRAF

MI22-532

021567 0292/0702
WELLS ST JOHN ROBERTS GREGORY AND MATKIN
SUITE 1300
601 W FIRST AVENUE
SPOKANE WA 99201-3828

2811

DATE MAILED:

07/02/99

NOTICE TO FILE MISSING PARTS OF APPLICATION**Filing Date Granted**

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☒ non-small entity is \$ 130.00.

- ☐ 1. The statutory basic filing fee is:
- ☐ missing.
 - ☐ insufficient.

Applicant must submit \$ _____ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

- ☐ 2. The following additional claims fees are due:
- \$ _____ for _____ total claims over 20.
- \$ _____ for _____ independent claims over 3.
- \$ _____ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

- ☒ 3. The oath or declaration:
- ☐ is missing or unsigned.
 - ☐ does not cover the newly submitted items.
- An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

- ☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

- ☒ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

Klaus Florian Schuegraf 1st Inventor
An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

- ☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

- ☐ 8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

- ☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

Shirley Thomas T-6
Customer Service Center
Initial Patent Examination Division (703) 308-1202

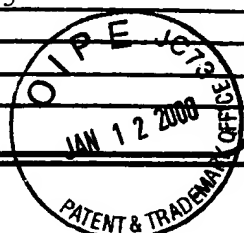
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FC:105
U.S. POSTAL SERVICE 9998-446-824

PETITION ROUTING SLIP

(Find the petition from the list and check the box in the heading above the petition)

Complete if Known

Application Number	09/332,271
Filing Date	June 11, 1999
First Named Inventor	Schuegraf
Group Art Unit	2811
Examiner Name	Unknown
Attorney Docket Number	MI22-532



☒ PETITIONS DECIDED BY PETITIONS OFFICE

- 301 Relating to Public Use Proceedings (37 CFR 1.292)
- 302 To make application special - prospective manufacture (37 CFR 1.102, MPEP 708.02)
- 303 To make special - infringement (37 CFR 1.102, MPEP 108.02)
- 304 Relating to the Filing/Issuance of Divisional Reissue (37 CFR 1.177)
- 305 To waive or suspend rules (37 CFR 1.183)
- 306 To expunge a paper from patent application or patent file (37 CFR 1.59)
- 307 Withdrawal of Attorney (37 CFR 1.36)
- 308 For access to application except re proceedings before Board (37 CFR 1.14, MPEP 103.104)
- 309 Relating to Small Entity (37 CFR 1.28)
- 310 Relating to reexamination (37 CFR 1.181-1.183)
- 311 For correction of inventorship for applications - no filing date (37 CFR 1.48)
- 312 For correction of inventorship re PCT applications (37 CFR 1.48)
- 313 For filing application without one or more inventors (37 CFR 1.47)
- 314 For filing PCT application without one or more inventors (37 CFR 1.47)
- 315 For extension of time without fee in cases in Application Division (37 CFR 1.136(b))
- 399 For matters before A/C for Patents - not specified
- 408 Relating to a filing date under 35 USC 1118 37 CFR 1.53
- 411 Filing date for application filed by Express Mail (37 CFR 1.10)
- 412 Filing date for lost application
- 501 To revive an abandoned application - unavoidable delay (37 CFR 1.137(a))
- 502 To revive an abandoned application - unintentional abandonment (37 CFR 1.137(b))

- 503 To waive/suspend rules (37 CFR 1.183)
- 504 To invoke supervisory authority - re patent examining operations (37 CFR 1.181)
- 505 To withdraw from issue after payment of issue fee (37 CFR 1.313(b)(1-4))
- 506 To withdraw from issue after payment of issue fee (37 CFR 1.313(b)) or abandon application in favor of continuing application
- 507 To enter priority papers after issue Fee payment (37 CFR 1.55(a))
- 508 To defer issuance of patent (37 CFR 1.314)
- 515 To invoke supervisory authority - re Office of Admin. (37 CFR 1.181)
- 516 To waive/suspend rules re patent matters in Office of Admin. (37 CFR 1.183)
- 519 To decide matters before Deputy A/C for Patents under 37 CFR 1.182
- 521 To review refusal to accept & record maintenance fee - application filed on or after 8/27/82 (37 CFR 1.377)
- 523 To issue patent in the name of the Assignee (37 CFR 1.334(c))
- 525 To withdraw a holding of abandonment (37 CFR 1.181)
- 526 To order a Commissioner-initiated Reexamination proceeding (37 CFR 1.520)
- 527 To convert Provisional Application
- 528 To reinstate abandoned Provisional Application
- 530 PCT petition-unavoidable
- 531 PCT petition-unintentional
- 532 To accept unavoidably delayed payment of maintenance fee (37 CFR 1.378 (b))
- 533 To accept unintentionally delayed payment of maintenance fee (37 CFR 1.378 (c))
- 534 Petitions related to reexamination proceedings
- 599 For matters before the Deputy A/C for Patents - not specified

☐ PETITIONS DECIDED BY THE GROUP DIRECTOR

- 601 To make application special on ground of age or health (37 CFR 1.102, MPEP 708.02)
- 602 To make special - continuity of earlier application (37 CFR 1.102, MPEP 708.02)
- 603 To make special - environment quality program (37 CFR 1.102, MPEP 708.02)
- 604 To make special - accelerated examination (37 CFR 1.102, MPEP 708.02)
- 605 To make special - Energy Program (37 CFR 1.102, MPEP 708.02)
- 606 To make special - Recombinant DNA (37 CFR 1.102, MPEP 708.02)
- 607 To make special for reasons not provided for in codes 601-606 (37 CFR 1.102, MPEP 708.02)
- 608 To reopen prosecution after Board decision (37 CFR 1.198)
- 609 For review of final restriction requirement (37 CFR 1.144)
- 610 Involving Authority of Commissioner under 37 CFR 1.181 not specified in codes
- 611 Relating to the prematurity of final rejection (37 CFR 1.181, MPEP 708.07(d))
- 612 Relating to the refusal to enter an amendment (37 CFR 1.181 & 1.127, MPEP 714.19)
- 613 To withdraw a holding of abandonment (37 CFR 1.137, MPEP 711.03)
- 614 Relating to a requirement to cancel new matter from application (37 CFR 1.181, MPEP 608.04(c))
- 615 Relating to formal sufficiency/propriety of affidavits (37 CFR 1.131, 1.132, 1.606, MPEP 715.07)
- 616 To institute an interference (37 CFR 1.606)
- 617 Relating to refusal to enter an amendment under 37 CFR 1.312

- 618 For concurrent Ex parte and Inter parte proceedings (37 CFR 1.212)
- 619 For return of original oath of patent application (MPEP 604.04(a))
- 620 For extension of time (37 CFR 1.136(b))
- 621 For interview after Notice of Allowance mailed (MPEP 713.10)
- 622 Concerning appeal application before transfer of jurisdiction to Board (MPEP 1208)
- 623 For second or subsequent suspension of action (37 CFR 1.103, MPEP 709)
- 625 To reinstate Appeals dismissed in Group
- 626 From denial of reexamination request (37 CFR 515(c))
- 627 To enter an amendment after payment of issue fee (37 CFR 1.312(b))
- 628 From refusal to issue a Certificate of Correction (37 CFR 1.181, MPEP 1480-1485)
- 629 For withdrawal of attorney from application pending in group (37 CFR 1.36)
- 630 For extension of time in a reexamination (37 CFR 1.550(c))
- 631 To merge multiple reexamination proceedings (37 CFR 1.565(c), MPEP 2283)
- 632 To effect a second conversion of inventorship (37 CFR 1.48, MPEP 201.03)
- 633 Superconductivity
- 634 To correct inventorship in a patent not in interference (37 CFR 1.324, MPEP 1481)
- 635 To change inventorship in an application (37 CFR 1.48)
- 636 To change inventorship in a patent (37 CFR 1.48)
- 637 To withdraw from issue before payment of an issue fee (37 CFR 1.313(a))
- 699 For matters before Group Director - not specified

☐ PETITIONS DECIDED BY BOARD OF PATENT APPEALS AND INTERFERENCES

- 701 To exercise supervisory authority re action by examiner/examiner-in-chief (37 CFR 1.644)
- 702 To accept belatedly filed copies of interference settlement agreements (35 USC 135(c), 37 CFR 1.686(c))
- 703 For withdrawal of attorney in proceeding under 37 CFR 1.201 - 1.288 (37 CFR 1.36)
- 704 For access to a settlement agreement under 35 USC 135(c) (37 CFR 1.686(b))
- 705 For access to an application in proceedings before the Board (37 CFR 1.14(e))
- 706 From a refusal to issue a Certificate of Correction (37 CFR 1.322, 1.323)
- 707 To correct errors in inventorship (37 CFR 1.324)
- 708 For extension of time to file amendment under 37 CFR 1.196(b) (37 CFR 1.136)
- 709 To make an application before the Board special (37 CFR 1.102)
- 710 For extension of time to file supplemental Reply Brief (37 CFR 1.136)

- 711 To assign particular members to hearing or to request augmented panel (35 USC 7)
- 712 To decide miscellaneous questions in proceedings under 37 CFR 1.601-1.688
- 713 To accept priority papers in applications in interference (37 CFR 1.644)
- 714 To reinstate an Appeal
- 799 For matters before Chairman of Board - not specified
- 801 To make an application before the Board special (37 CFR 1.102)
- 802 To reinstate an Appeal
- 803 To extend time/suspend proceedings (37 CFR 1.196, 1.197, 1.304)
- 804 For extension of time to file supplemental Reply Brief (37 CFR 1.136)
- 805 To accept late request for an Oral Hearing (37 CFR 1.136)
- 899 For matters before the Clerk of the Board - not specified

☐ PETITIONS DECIDED BY SPECIAL LAWS (SECURITY AND GOVERNMENT INTEREST MATTERS)

- 901 Under 42 USC 2182
- 902 Under 42 USC 2457
- 903 Under 35 USC 184

- 904 Under 35 USC 267
- 905 To consider/review security or Government interest matters - not specified

☐ PETITIONS DECIDED BY THE SOLICITOR

- 951 Petitions for extension of time in court matters 35 USC 142, 145, 148
- 952 Petitions relating to ex parte questions in cases before the Court of Appeals for the Federal Circuit

- 953 Requests filed under the Freedom of Information Act
- 959 Not specified

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